

File No. 190413 Committee Item No. 1
 Board Item No. 5

COMMITTEE/BOARD OF SUPERVISORS
 AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date May 20, 2019

Board of Supervisors Meeting Date JUNE 18, 2019

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral FYI 021319</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral CEQA 021319</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEQA Determination 021919</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Referral CEQA 041719</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>CEQA Determination 050619</u> |
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Completed by: Erica Major Date May 16, 2019
 Completed by: Erica Major Date 06/18/2019

1 [Administrative, Police Codes - Programs and Fund for the Vehicularly Housed
2 Persons Homeless and Use of Vehicles for Human Habitation]

3 Ordinance amending the Administrative Code to revise the requirement for the
4 Controller to submit reports concerning the Safe Overnight Parking Pilot Program, and
5 amending the Police Code to create an exception for participants in the Safe Overnight
6 Parking Pilot Program to the prohibition on using a vehicle for human
7 habitation. ~~Administrative Code to establish the Relocation Assistance Fund for the~~
8 ~~Vehicularly Housed and to allow eligible vehicularly housed persons to receive~~
9 ~~financial assistance from the Fund for up to six months; require the Department of~~
10 ~~Homelessness and Supportive Housing ("HSH") to establish a Safe Overnight Parking~~
11 ~~Pilot Program to provide eligible vehicularly housed homeless persons a place to park~~
12 ~~and sleep in their vehicles overnight, case management, and other services; require~~
13 ~~HSH to collaborate with the Municipal Transportation Agency ("MTA") to develop an~~
14 ~~On-Street Parking Citation and Tow and Storage Fee Abatement Program to provide~~
15 ~~eligible vehicularly housed homeless persons with waivers or reduced of parking fines~~
16 ~~and fees; and affirming the Planning Department's determination under the California~~
17 ~~Environmental Quality Act.~~

18 NOTE: Unchanged Code text and uncodified text are in plain Arial font.
19 Additions to Codes are in *single-underline italics Times New Roman font*.
20 Deletions to Codes are in *strikethrough italics Times New Roman font*.
21 Board amendment additions are in double-underlined Arial font.
22 Board amendment deletions are in ~~strikethrough Arial font~~.
23 Asterisks (* * * *) indicate the omission of unchanged Code
24 subsections or parts of tables.
25

Be it ordained by the People of the City and County of San Francisco:

1 Section 1. The original version of this ordinance added new Administrative Code
2 Chapter 119, requiring the Department of Homelessness and Supportive Housing to: 1)
3 establish a Safe Overnight Parking Pilot Program to provide eligible vehicularly homeless
4 persons a place to park and sleep in their vehicles overnight, case management, and other
5 services, and 2) collaborate with the Municipal Transportation Agency to develop an On-
6 Street Parking Citation and Tow- and-Storage-Fee Abatement Program to provide eligible
7 vehicularly homeless persons with waivers of parking fines and fees. The Board added
8 Chapter 119 in Ordinance No. 082-19, and duplicated the file. Because Chapter 119 has
9 already been enacted, it has been removed from this duplicate ordinance, except for
10 subsection (d) of Section 119.5, which is amended herein.

11
12 Section 2. Chapter 119 of the Administrative Code is amended by revising Section
13 119.5 to read as follows:

14
15 **SEC 119.5. ADMINISTRATIVE IMPLEMENTATION.**

16 * * *

17 (d) The Controller HSH shall track and evaluate the Overnight Safe Overnight Parking
18 Pilot Program's outcomes. Not more than six months after the effective date of Chapter 119,
19 and every six months thereafter, HSH shall report key information to the Board of Supervisors,
20 including but not limited to the number of Program Participants served by the Vehicle
21 Navigation Triage Center and Safe Parking Lot(s); Program Participants' lengths of stay; and
22 Program Participants' destinations upon exit (e.g., permanent housing, transitional housing).
23 The Controller shall summarize these outcomes in a report to be submitted to the Board of
24 Supervisors no later than six months after the effective date of this Chapter 119, and every six
25 months thereafter, until such time as the Pilot Program is no longer in operation. Within one

1 year of the effective date of this Chapter 119, HSH and the Controller shall jointly, in
2 consultation with the Director of the Department of Homelessness and Supportive Housing,
3 shall submit to the Board of Supervisors a report that summarizes these statistics and
4 describes any lessons learned from the operation of the Overnight Safe Overnight Parking
5 Pilot Program, and makes recommendations as to how and whether the Program should be
6 continued, along with a proposed resolution to accept the report.

7
8 Section 3. Article 1:1 of the Police Code shall be amended by revising Section 97.1 to
9 read as follows:

10
11 **SEC. 97.1. EXCEPTIONS.**

12 (a) The General Manager of the Recreation and Park Department may by written
13 permit allow the use or occupancy of any house car, camper or trailer coach on or in any
14 property under the jurisdiction of the Recreation and Park Commission when he finds that
15 such use is necessary for the operation and protection of City property and livestock.

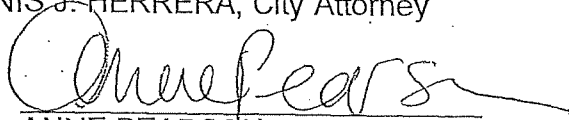
16 The permission granted by the General Manager may be revoked upon five days
17 written notice to the permittee.

18 (b) Persons who have been given a license by the City to park and sleep in their
19 vehicle at a Safe Overnight Parking Lot or a Vehicle Navigation Triage Center in accordance
20 with Administrative Code Chapter 119 shall not be subject to the penalties set forth in Section
21 98 of this Article 1.1 while using or occupying their vehicle for human habitation, provided that
22 such use or occupancy occurs on the premises of the Safe Overnight Parking Lot or Vehicle
23 Navigation Triage Center to which they have been given a license.

1 Section 4. Effective Date. This ordinance shall become effective 30 days after
2 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
3 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
4 of Supervisors overrides the Mayor's veto of the ordinance.

5
6 APPROVED AS TO FORM:
7 DENNIS J. HERRERA, City Attorney

8 By:



9 ANNE PEARSON
Deputy City Attorney

10 n:\egana\as2019\1900230\01362274.docx

REVISED LEGISLATIVE DIGEST
(Amended in Committee, 5/20/2019)

[Administrative, Police Codes - Programs for the Vehicular Homeless and Use of Vehicles for Human Habitation]

Ordinance amending the Administrative Code to revise the requirement for the Controller to submit records concerning the Safe Overnight Parking Pilot Program, and amending the Police Code to create an exception for participants in the Safe Overnight Parking Pilot Program to the prohibition on using a vehicle for human habitation.

Existing Law

Section 119.5 of the Administrative Code, which was established through enactment of Ordinance No. 082-19, requires the Controller to track and evaluate key outcomes of the Safe Overnight Parking Pilot Program, and summarize such outcomes in a report to be submitted to the Board of Supervisors no later than six months after the effective date of Chapter 119, and every six months thereafter.

Currently, Article 1.1 of the Police Code prohibits any person from using a motor vehicle for human habitation on any street, park, beach, square, avenue, alley or public way, within a residential neighborhood of the City and County of San Francisco ("City") between the hours of 10:00 p.m. and 6:00 a.m. Article 1.1 also prohibits any person from using a house car, camper or trailer coach for human habitation on any street, park, beach, square, avenue, alley or public way, in any neighborhood within the City between the hours of 10:00 p.m. and 6:00 a.m. Violation of Article 1.1 is punishable as a misdemeanor.

Amendments to Current Law

The proposed ordinance would require the Department of Homelessness and Supportive Housing, instead of the Controller, to track and evaluate the outcomes of the Safe Overnight Parking Pilot Program, and to report on such outcomes to the Board of Supervisors every six months. The proposed ordinance would also require HSH, within one year of the effective date of Chapter 119, to jointly submit with the Controller a report to the Board of Supervisors that summarizes key statistics and makes recommendations as to how and whether the Program should be continued.

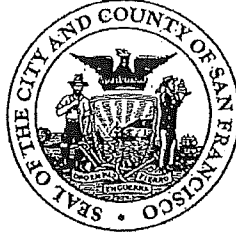
The proposed ordinance would create an exception to the prohibition on using a motor vehicle, house car, camper, or trailer for human habitation for persons who have been given a license by the City to park and sleep in their vehicle at a Safe Overnight Parking Lot or a Vehicle Navigation Triage Center in accordance with Administrative Code Chapter 119.

Background Information

The original version of this ordinance (No. 082-19) added new Administrative Code Chapter 119, requiring the Department of Homelessness and Supportive Housing to: 1) establish a Safe Overnight Parking Pilot Program to provide eligible vehicularly homeless persons a place to park and sleep in their vehicles overnight, case management, and other services, and 2) collaborate with the Municipal Transportation Agency to develop an On-Street Parking Citation and Tow- and-Storage-Fee Abatement Program to provide eligible vehicularly homeless persons with waivers of parking fines and fees. The Board added Chapter 119 in Ordinance No. 082-19, and duplicated the file.

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BOARD of SUPERVISORS



City Hall
Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

February 13, 2019

File No. 190141

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On February 5, 2019, Supervisor Brown introduced the following proposed legislation:

File No. 190141

Ordinance amending the Administrative Code to establish the Relocation Assistance Fund for the Vehicularly Housed and to allow eligible vehicularly housed persons to receive financial assistance from the Fund for up to six months; require the Department of Homelessness and Supportive Housing ("HSH") to establish a Safe Overnight Parking Program to provide eligible vehicularly housed persons a place to park and sleep in their vehicles overnight, case management, and other services; require HSH to collaborate with Municipal Transportation Agency to develop an On-Street Parking Citation and Tow-and-Storage-Fee Abatement Program to provide eligible vehicularly housed persons with waivers or reduced parking fines and fees; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the environment. The ordinance is establishing a fund and program; no parcels identified for program.

2/19/2019 *Laura C. Lynch*

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Fax No. 554-5163
TDD/TTY No. 554-5227

April 17, 2019

File No. 190413

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On April 15, 2019, the Land Use and Transportation Committee duplicated this matter from File No. 190141:

File No. 190413

Ordinance amending the Administrative Code to require the Department of Homelessness and Supportive Housing ("HSH") to establish a Safe Overnight Parking Pilot Program to provide eligible vehicularly homeless persons a place to park and sleep in their vehicles overnight, case management, and other services; require HSH to collaborate with the Municipal Transportation Agency ("MTA") to develop an On-Street Parking Citation and Tow- and-Storage-Fee Abatement Program to provide eligible vehicularly homeless persons with waivers of parking fines and fees; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

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By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



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TDD/TTY No. 554-5227

February 13, 2019

File No. 190141

Lisa Gibson
Environmental Review Officer
Planning Department
1650 Mission Street, Ste. 400
San Francisco, CA 94103

Dear Ms. Gibson:

On February 5, 2019, Supervisor Brown introduced the following proposed legislation:

File No. 190141

Ordinance amending the Administrative Code to establish the Relocation Assistance Fund for the Vehicularly Housed and to allow eligible vehicularly housed persons to receive financial assistance from the Fund for up to six months; require the Department of Homelessness and Supportive Housing ("HSH") to establish a Safe Overnight Parking Program to provide eligible vehicularly housed persons a place to park and sleep in their vehicles overnight, case management, and other services; require HSH to collaborate with Municipal Transportation Agency to develop an On-Street Parking Citation and Tow-and-Storage-Fee Abatement Program to provide eligible vehicularly housed persons with waivers or reduced parking fines and fees; and affirming the Planning Department's determination under the California Environmental Quality Act.

This legislation is being transmitted to you for environmental review.

Angela Calvillo, Clerk of the Board

A handwritten signature in cursive script, appearing to read "Erica Major".

By: Erica Major, Assistant Clerk
Land Use and Transportation Committee

Attachment

c: Joy Navarrete, Environmental Planning
Laura Lynch, Environmental Planning

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Ed Reiskin, Executive Director, Municipal Transportation Agency
Trent Rhorer, Executive Director, Human Services Agency
Jeff Kositsky, Director, Department of Homelessness and Supportive Housing
William Scott, Police Chief, Police Department
Elaine Forbes, Executive Director, Port Department
Harlan Kelly, Jr., General Manager, Public Utilities Commission
Andrico Penick, Director, Real Estate Division

FROM: Erica Major, Assistant Clerk, Land Use and Transportation Committee

DATE: February 13, 2019

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following proposed legislation, introduced by Supervisor Brown on February 5, 2019:

File No. 190141

Ordinance amending the Administrative Code to establish the Relocation Assistance Fund for the Vehicularly Housed and to allow eligible vehicularly housed persons to receive financial assistance from the Fund for up to six months; require the Department of Homelessness and Supportive Housing ("HSH") to establish a Safe Overnight Parking Program to provide eligible vehicularly housed persons a place to park and sleep in their vehicles overnight, case management, and other services; require HSH to collaborate with Municipal Transportation Agency to develop an On-Street Parking Citation and Tow-and-Storage-Fee Abatement Program to provide eligible vehicularly housed persons with waivers or reduced parking fines and fees; and affirming the Planning Department's determination under the California Environmental Quality Act.

If you have comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102 or by email at: erica.major@sfgov.org.

c: Kate Breen, Municipal Transportation Agency
Janet Martinsen, Municipal Transportation Agency
Joel Ramos, Municipal Transportation Agency
Krista Ballard, Human Services Agency
Emily Cohen, Department of Homelessness and Supportive Housing
Rowena Carr, Police Department
Asja Steeves, Police Department
Deirdre Hussey, Police Department
Sergeant Rachael Kilshaw, Police Department
Daley Dunham, Port Department
Juliet Ellis, Public Utilities Commission
Donna Hood, Public Utilities Commission
John Scarpulla, Public Utilities Commission
Christopher Whitmore, Public Utilities Commission

Print Form

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 FEB -5 PM 2:07
Time stamp
for meeting date

BY JB

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Brown (Primary), Safai

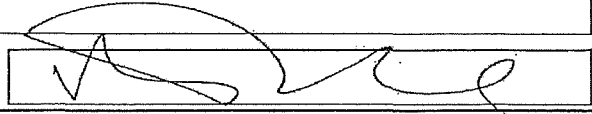
Subject:

[Administrative Code - Programs and Fund for Vehicularly Housed Persons]

The text is listed:

Ordinance amending the Administrative Code to establish the Relocation Assistance Fund for the Vehicularly Housed and to allow eligible vehicularly housed persons to receive financial assistance from the Fund for up to six months; require the Department of Homelessness and Supportive Housing ("HSH") to establish a Safe Overnight Parking Program to provide eligible vehicularly housed persons a place to park and sleep in their vehicles overnight, case management, and other services; require HSH to collaborate with MTA to develop an On-Street Parking Citation and Tow- and-Storage-Fee Abatement Program to provide eligible vehicularly housed persons with waivers or reduced parking fines and fees; and affirming the Planning Department's determination under the California Environmental Quality Act.

Signature of Sponsoring Supervisor:



For Clerk's Use Only